

**July 6, 2017**  
**Planning Commission Meeting**  
**3005 S 1200 West Perry UT 84302**  
**7:00 p.m.**

**Commissioners Present:** Vice Chairman Devin Miles, Commissioner Blake Ostler, Commissioner Vicki Call, Commissioner Tresa Peterson and Commissioner Stuart Grover.

**Commissioners Excused:** Chairman Travis Coburn

**City Staff Present:** Greg Westfall: Perry City Administrator and Susan K. Obray: City Recorder.

**Others Present:** Kevin Jeppsen, Ken Francis, Marlene Wyatt, and Greg Hansen

**1. 7:00 p.m. - Call to Order and Opening Ceremonies**

**A. Invocation-**

Commissioner Ostler gave the invocation.

**B. Pledge of Allegiance to the U.S. Flag-**

Commissioner Peterson led the Pledge of Allegiance.

**C. Declare Conflict of Interest, if any-**

None.

**D. Review and Adopt the Agenda-**

Commissioner Ostler inquired if the Commission could discuss Subdivision Approval Process, time permitting.

**MOTION:** Commissioner Grover moved to adopt the July 6, 2017 Planning Commission Meeting agenda with the addition of item 5D Subdivision Approval Process. Commissioner Call seconded the motion. Roll call vote.

**Commissioner Peterson, Yes**

**Vice Chairman Miles, Yes**

**Commissioner Call, Yes**

**Commissioner Ostler, Yes**

**Commissioner Grover, Yes**

**Motion Approved: 5 Yes, 0 No**

**E. Approval of the Minutes**

**(a) May 10, 2017 Regular Meeting**

Commissioner Ostler stated his suggested corrections.

**MOTION:** Commissioner Ostler moved to approve the May 10, 2017 Planning Commission Regular Meeting Minutes with the discussed changes. Commissioner Grover seconded the motion. Roll call vote.

**Commissioner Peterson, Abstain**

**Commissioner Call, Abstain**

**Vice Chairman Miles, Yes**

**Commissioner Ostler, Yes**

**Commissioner Grover, Yes**

**Motion Approved: 3 Yes, 0 No, 2 Abstain**

**(b) May 17, 2017 Work Session**

Commissioner Grover stated his suggestions revisions.

**MOTION:** Commissioner Grover moved to approve the May 17, 2017 Planning Commission Work Session Meeting Minutes with the noted change. Commissioner Ostler seconded the motion. Roll call vote.

**Commissioner Peterson,** Abstain  
**Vice Chairman Miles,** Yes  
**Commissioner Grover,** Yes

**Commissioner Call,** Abstain  
**Commissioner Ostler,** Yes

**Motion Approved:** 3 Yes, 0 No, 2 Abstain

**(c) June 1, 2017 Work Session**

**MOTION:** Commissioner Call moved to approve the June 1, 2017 Planning Commission work session Meeting Minutes with the discussed changes. Commissioner Ostler seconded the motion. Roll call vote.

**Commissioner Peterson,** Abstain  
**Vice Chairman Miles,** Yes  
**Commissioner Grover,** Yes

**Commissioner Call,** Yes  
**Commissioner Ostler,** Yes

**Motion Approved:** 4 Yes, 0 No, 1 Abstain

**(d) June 1, 2017 Regular Meeting**

Tabled.

**F. Make Assignments for Representative to Attend City Council Meetings (July 13, 2017 and July 27, 2017).**

Vice Chairman Miles will attend the July 13, 2017 City Council Meeting and Commissioner Grover will attend the July 27, 2017 City Council Meeting.

Vice Chairman Miles reported to the Commission of the City Council meeting he attended on June 22<sup>nd</sup>. He explained there is a Standstill Agreement between the City and Geneva Rock [which both the City Attorney and Geneva Rock's attorney are currently working through]. He invited City Administrator, Greg Westfall to expand on this matter.

Mr. Westfall explained Geneva has some concerns with the current proposed ordinance and, therefore, they desire the City to hold off on moving forward until Geneva can further review the proposed ordinance. He stated he would keep the Commission updated on any progress with this proposed ordinance.

Commissioner Ostler inquired if this proposed ordinance could come back to the Commission.

Mr. Westfall stated it is up to the Council's discretion. He explained his recommendation to the Council would be for it to come back to the Commission if there are substantial changes made to the proposed ordinance.

**2. Public Hearings and Comments**

**MOTION:** Commissioner Call moved to close the regular meeting and open the public hearing portion of the meeting. Commissioner Grover seconded the motion. Roll call vote.

**Commissioner Peterson,** Yes  
**Vice Chairman Miles,** Yes  
**Commissioner Grover,** Yes

**Commissioner Call,** Yes  
**Commissioner Ostler,** Yes

**Motion Approved:** 5 Yes, 0 No

**A. Public Hearing for Wyatt Subdivision Phase 2, Applicant: Doug Wyatt, Location: 2100 South ( north side) Perry UT 84302**

None public comment was given.

**MOTION:** Commissioner Grover moved to close the public hearing for Wyatt Subdivision Phase 2 and open the public hearing for Heather Ridge Estates Phase 5. Commissioner Call seconded the motion. Roll call vote.

**Commissioner Peterson, Yes**

**Vice Chairman Miles, Yes**

**Commissioner Grover, Yes**

**Commissioner Call, Yes**

**Commissioner Ostler, Yes**

**Motion Approved:** 5 Yes, 0 No

**B. Public Hearing for Heather Ridge Estates Phase 5, Applicant: Sally Simmons, Location: 2100 S (south side) Perry UT, 84302**

No public comment was given.

**MOTION:** Commissioner Grover moved to close the public hearing for Heather Ridge Estates Phase 5. Commissioner Ostler seconded the motion. Roll call vote.

**Commissioner Peterson, Yes**

**Vice Chairman Miles, Yes**

**Commissioner Grover, Yes**

**Commissioner Call, Yes**

**Commissioner Ostler, Yes**

**Motion Approved:** 5 Yes, 0 No

**C. Public Comment**

No public comment made.

**3. Land Use Applications**

**A. Final Approval and Recommendation to City Council for Wyatt Subdivision Phase 2, Applicant: Doug Wyatt, Location: 2100 South (north side) Perry UT 84302.**

Greg Westfall explained each of the engineering questions have been resolved on this application.

Commissioner Call inquired about who will own Parcel A (which is a detention basin).

Mr. Westfall stated Lot 2 will own and maintain Parcel A.

Commissioner Peterson inquired if Parcel A would need to be separated by fencing.

Mr. Westfall stated it would not, as it is a small detention basin.

Commissioner Grover inquired if there was a provision for street lighting for developments.

It was found by the Commission that there was a provision for street lighting for intersections, corners, and cul-de-sacs in the City Codes.

Mr. Westfall said the exception to this is developments on Highway 89 and that the developer would need permission from UDOT to install street lights along there.

Commissioner Ostler inquired if the 15 ft. public utility easement around Lot 1 was in place to allow the City access to the detention basin if needed.

Mr. Westfall confirmed this was its purpose and clarified though the Lot 2 owner will maintain the landscaping, the City will maintain the actual detention basin itself.

**MOTION:** Commissioner Call moved to give Final Approval and Recommendation to the City Council for the Wyatt Subdivision, Phase 2. Commissioner Peterson seconded the motion. Roll call vote.

**Commissioner Peterson, Yes**

**Commissioner Call, Yes**

**Vice Chairman Miles, Yes**

**Commissioner Ostler, Yes**

**Commissioner Grover, Yes**

**Motion Approved:** 5 Yes, 0 No

**B. Final Approval with Recommendation to City Council for Heather Ridge Estates Phase 5,**

**Applicant: Sally Simmons, Location: 2100 S (south side) Perry UT 84302**

Greg Westfall stated the most discussed issue regarding this application is the detention basin.

Greg Hansen explained the HOA will have ownership of the detention pond (Parcel A) and the responsibility of landscaping maintenance. He stated the piping maintenance will be the responsibility of the City.

Commissioner Call inquired if only the owners of Phase 5 lots would be responsible for this landscaping maintenance of the detention basin.

Mr. Hansen explained the owners of lots in later phases will also have this responsibility.

The Commission and Staff clarified the planned street lighting for this subdivision met City Codes.

Mr. Hansen clarified for the Commission the difference between a detention basin and a catch basin (storm drain).

Commissioner Ostler inquired if the changes, comments, and agreements being made through email [among City Staff and respective applicants and their representatives] on both the Heather Ridge and Wyatt subdivisions can be considered official. [This email correspondence was provided to the Planning Commission in this meeting's packet.]

Mr. Hansen stated they would create two engineer estimates, which will break down all the improvements required for these two subdivisions. He explained one of these estimates will be specific for the Wyatt Subdivision and the other for Heather Ridge Subdivision. He explained creating these two specific estimates will be difficult, because these subdivisions are using the same water line. He explained all the changes which have been discussed over email will be included in these estimates.

Commissioner Call inquired about water availability and pressure for this subdivision.

Mr. Westfall stated the well issue the City is working through does not apply to these subdivisions because the City included them in being built out with the current available water. He explained the water pressure is good for these two subdivisions.

Commissioner Call inquired if the Commission could have the water availability numbers from the City be presented at a future meeting.

Mr. Westfall said he would ask Brett Jones to do this.

**MOTION:** Commissioner Grover moved to give Final Approval and Recommendation to the City Council for the Heather Ridge Estates, Phase 5, with the amendment that the street lighting be installed per City Regulations. Commissioner Call seconded the motion. Roll call vote.

**Commissioner Peterson, Yes**

**Commissioner Call, Yes**

**Vice Chairman Miles, Yes**

**Commissioner Ostler, Yes**

**Commissioner Grover, Yes**

**Motion Approved: 5 Yes, 0 No**

**C. Preliminary Approval for Kenneth Francis Property, Applicant: Kenneth Francis, Location: 2494 S 900 W Perry UT 84302**

Greg Westfall explained this was presented as a concept at a prior meeting. He stated this is a straight forward splitting of one lot into two lots. He expounded it meets all City Regulations.

Commissioner Ostler inquired if it was part of Perry City Center Subdivision.

Mr. Westfall confirmed it is.

**MOTION:** Commissioner Call moved to approve the Preliminary Plan for the Kenneth Francis Property. Commissioner Peterson seconded the motion. Roll call vote.

**Commissioner Peterson Yes**

**Vice Chairman Miles Yes**

**Commissioner Call Yes**

**Commissioner Ostler Yes**

**Commissioner Grover Yes**

**Motion Approved: 5 Yes 0 No**

**4. Land Use Ordinances, Zoning, Design Guidelines, General Plan, Etc. -Recommendation to the City Council.**

**A. None.**

**5. Discussion**

**A. Conservation Subdivision**

Commissioner Ostler thanked Commissioner Grover for his efforts in enhancing this proposed ordinance.

Commissioner Grover stated he added a few minor adjustments to the document and the email Susan sent to the Commissioners on June 5<sup>th</sup> is the most current version. He explained the yellow highlighted sections are the areas which still need to be finalized.

Mr. Westfall inquired if any of the Commissioners were opposed to having this be an action item in the next meeting—with someone being assigned to correct the minor issues in the yellow highlighted areas beforehand.

Commissioner Grover and Commissioner Ostler summarized the Conservation Subdivision concept to Commissioner Peterson, who is new to the Commission.

It was agreed by the Commission and Staff to have this be an action item at the next Planning Commission meeting, with the yellow highlighted sections being finalized beforehand by Commissioner Ostler.

**B. Discussion on the Civic and Recreation Zone**

Commissioner Call advised simplifying this document because she felt there are sections which are contradictory. The Commission and Staff then reviewed these sections.

The Commission discussed the suggestions from the Commissioners and decided which were in the best interest of the City.

**C. Discussion on the Business License Process**

The Commission agreed upon Commissioner Ostler taking this project on to simplify the current Business License Process.

**D. Subdivision Approval Process**

Commissioner Ostler inquired what the role of the Planning Commission is in the Final Approval of a subdivision.

Commissioner Call explained she believed it is the final check of all the previous work done on the subdivision. She stated she felt it was appropriate that the Planning Commission does this final check.

Commissioner Ostler stated his opinion that there are often still open actions that need to be addressed at the time the Commission hears Final Approval of subdivisions. He stated that at the time of Final Approval of a subdivision everything should be completed and ready to go.

Vice Chairman Miles and Commissioner Grover voiced their agreement with Commissioner Ostler's statement.

The Commission then discussed and defined exactly what their role is in the Final Approval Process of subdivisions. They also discussed if the City Council is being notified of the loose ends on these Final Approvals and Recommendations from the Commission.

Mr. Westfall stated they currently were not, but that he would make sure to rectify this situation in the future. He explained the City Staff would ensure that applicants are truly prepared for a Final Approval from now on.

It was agreed upon to set the expectation that if an applicant comes to the Commission for a Final Approval unprepared, the Commission will deny the approval until everything is properly in order.

6. **Training**

A. None.

7. **Review Next Agenda and Adjourn**

- Public Hearing for the Conservation Subdivision
- Working Map for Civic and Recreation
- Business License Process
- Final approval for Kenneth Francis Property
- Review Water Supply with City Engineer
- Work Session

A. **Motion to Adjourn**

**MOTION:** Commissioner Call moved to adjourn. Commissioner Grover seconded the motion.

**Motion Approved:** All Commissioners were in favor.